

FILED

JUL 12 2001

**PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF NC**

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

CHAPTER 7

INTERNATIONAL HERITAGE, INC.,

CASE NO. 98-02675-5-ATS

Debtor,

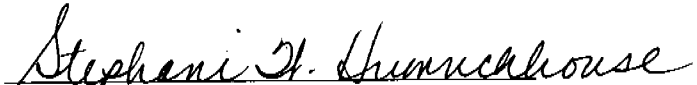
MOTION TO COMPROMISE AND SETTLE ADVERSARY PROCEEDING
(S-00-00246-5-AP)

NOW COMES Holmes P. Harden, Trustee, Trustee herein and plaintiff in the adversary proceeding captioned "Holmes P. Harden, Trustee, Plaintiff vs. Herbert Towning, Defendant", Adversary Proceeding No. S-00-00246-5-AP, filed in this case (the "Adversary Proceeding"), through counsel and pursuant to Bankruptcy Rule 9019, and moves this Court for an order granting it authority to compromise and settle the Adversary Proceeding. In support of this Motion, the Trustee shows the Court:

1. Holmes P. Harden, is the duly appointed Trustee in this case.
2. The \$16,389.00 sought by the Complaint in the Adversary Proceeding represents the value of the transfer of a Rolex watch which the Trustee alleged to be avoidable and recoverable under Bankruptcy Code §548 and §550 of the Bankruptcy Code.
3. After negotiation, the Trustee and Defendant have agreed that, subject to Court approval, they would be willing to settle the Adversary Proceeding by the Defendant returning the Rolex watch to the Trustee.
4. The Trustee believes that the proposed settlement is in the best interests of the estate and its creditors and requests that the Court approve this Motion.

WHEREFORE, the Trustee prays for an order approving and authorizing the settlement and compromise of the Adversary Proceeding on the terms described in Paragraph 3 above.

This the 12 day of July, 2001.


Stephani W. Humrickhouse

State Bar #9528

Attorney for Trustee

NICHOLLS & CRAMPTON, P.A.

Post Office Box 18237

Raleigh, North Carolina 27619

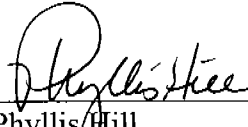
Telephone: (919) 781-1311

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing **MOTION TO COMPROMISE AND SETTLE ADVERSARY PROCEEDING** was served this day by placing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope and properly addressed as follows:

Brent E. Wood, Esq.
Brent E. Wood, PLLC
4000 WestChase Blvd., Suite 385
Raleigh, NC 27607

This the 12 day of July, 2001.



Phyllis Hill
Legal Assistant
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Raleigh, North Carolina 27619
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